

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: L. Jeffrey Kapner III

Serial No.: 10/035,763

Filing Date: 12/21/2001

For: SYSTEM AND METHOD FOR  
SELECTING A PAY PER VIEW PROGRAM  
TO BE TRANSMITTED TO A PROGRAM  
RECEIVER

Art Unit: 2424

Examiner: Newlin, T. R.

Confirmation No.: 3826

Docket No.: A0882

**PRE-APPEAL BRIEF REQUEST FOR REVIEW**

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir,

In response to the office action mailed on March 17, 2009, please consider the following pre-appeal brief request for review. A Notice of Appeal has been filed herewith.